

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ROBERT BRADY,

Plaintiff,

For Online Publication Only

ORDER

17-CV-6783 (JMA)

-against-

COMMISSIONER OF SOCIAL SECURITY,

1:11 pm, Dec 02, 2021

Defendant.

**FILED
CLERK**

**U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE**

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AZRACK, United States District Judge:

The Court, having read the motion, supporting memorandum, and declaration of Christopher James Bowes, attorney for Plaintiff in the above entitled case, requesting an award of attorney's fees in accordance with 42 U.S.C. § 406(b), and upon all the supporting documents annexed thereto, (ECF Nos. 23, 24, 25), together with the response to the motion filed by Defendant, (ECF No. 26),

IT IS ORDERED that attorney's fees be granted in the amount of \$27,525.00 which represents 25% of the past due benefits awarded to Plaintiff, and that upon payment of the 406(b) fees, Mr. Bowes shall refund the Equal Access to Justice Act ("EAJA") fees, in the amount of \$1,409.24 to Plaintiff directly.¹

SO ORDERED.

Dated: December 2, 2021
Central Islip, New York

/s/ (JMA)
JOAN M. AZRACK
UNITED STATES DISTRICT JUDGE

¹ On January 8, 2020, the Court awarded EAJA fees of \$4,154.00. (ECF No. 21.) Plaintiff's counsel also received \$6,900.00 in EAJA fees for work performed in the predecessor to this case (2:14-cv-5773, see ECF No. 26.) The total of these two EAJA Fee Awards is \$11,045.54. However, Plaintiff's counsel states that he received only \$1,409.24 from both EAJA Awards due to the United States Department of Treasury offsetting the amounts awarded to satisfy a debt owed by Plaintiff. (ECF No. 24 at ¶¶ 13, 28.)